

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 29, 2021

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

BRUCE GOODELL, a single person,

Plaintiff,

v.

COLUMBIA COUNTY PUBLIC
TRANSPORTATION; COLUMBIA
COUNTY TRANSPORTATION
AUTHORITY; and DAVID OCAMPO,
Defendants.

No. 2:20-CV-00226-SAB

**ORDER DENYING MOTION
FOR CERTIFICATION**

Before the Court is Plaintiff's Motion to Certify Question to Washington Supreme Court, ECF No. 71. The motion was considered without oral argument. Plaintiff is represented by Andrew Biviano and Toby Marshall. Defendants are represented by Andrew Wagley and Ronald Van Wert.

Plaintiff requests that the Court certify the following question to the Washington State Supreme Court: whether an employer may avoid liability for retaliation under RCW 49.60.210(1) on the basis that the adverse action was justified because the employee willfully disregarded the truth in opposing practices forbidden by chapter 49.60 RCW." ECF No. 71 at 2. Defendants oppose the motion, arguing that Plaintiff has not met the requisite showing to justify certification to the state supreme court. ECF No. 74.

ORDER DENYING MOTION FOR CERTIFICATION # 1

1 The Court denies Plaintiff's motion. Certification of the above question to
2 the Washington State Supreme Court is not warranted. Moreover, the previous
3 orders of this court are clear, are not in tension as alleged, and need no additional
4 explanation. Finally, any other issues raised in Plaintiff's motion can be addressed
5 in the jury instructions.

6 Accordingly, **IT IS HEREBY ORDERED:**

7 1. Plaintiff's Motion to Certify Question to Washington Supreme Court,
8 ECF No. 71, is **DENIED**.

9 **IT IS SO ORDERED.** The District Court Clerk is hereby directed to enter
10 this Order and provide copies to counsel.

11 **DATED** this 29th day of December 2021.



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A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is written in a cursive, flowing style.

17 Stanley A. Bastian
18 Chief United States District Judge
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